

DROWNED—Cerner Seell held an inquest yesterday at No. 132 First street, near Grand, upon the body of a young man named John Place, who was drowned on Thursday evening at the mouth of Newtons Creek. Deceased, accompanied by two other young men went in bathing, got out into deep water, and, being unable to swim, before assistance could be rendered was drowned. The body was recovered a few minutes afterward. Deceased leaves a wife and children.

**SUPREME COURT—SPECIAL TERM—AUG. 12.—Before Judge
PEABODY.**
IS MAYOR WOOD A COMMISSIONER?
The People *ex rel.* Patrick Murphy *agt.* James W. Nye *et al.*
Police Commissioners.

ethers in the injunction case against Mayor Wood relative to the pay of the new police, stated, on behalf of Mayor Wood, that the writ of mandamus had been served upon the Mayor.

Mr. Vanderpoel said the Mayor was not a Police

Mr. Dyett then finally moved a postponement until Monday next, and after some further discussion

Monday next and after some further discussion, Mr. Vanderpoel stating that he should probably appear for the Commissioners, the matter was postponed until the first Monday in September, at 9 o'clock a. m.

THE STREET COMMISSIONERSHIP—ANOTHER

ER INJUNCTION.
SUPREME COURT—SPECIAL TERM—AUG. 14—Before
Judge PEABODY.
D. D. Conover att. the Mayor, &c., of New York, **Charles**
Devlin, Henry Berthoff and John R. Farrington.
Another step was taken in the Street Commissioner's

plied to Judge Peabody for an *ex parte* injunction to restrain the Corporation and Mr. Devlin, as well as officer Bertholf and constable Farrington, from meddling with the books and papers of the Street Commissioners' office. The Court granted an order re-

requiring the defendants to show cause why they should not be restrained according to the prayer of the complaint, on the 25th inst., and restraining them meantime. The following are the papers in the case:

THE SUPPLEMENTAL COMPLAINT.

First: That on the 19th day of June, 1857, upon the complaint of this plaintiff, Charles A. Peabody, one of the Justices of this Court, made the order to show cause which the proceedings were had upon.

cause upon which the proceedings were instituted in the original complaint in this action, and not only the said Chas. Devlin, but the Mayor, Aldermen and Commonalty of the City of New-York, were parties to the said proceedings, having appeared thereat by counsel.

Second.—That this action was commenced against

the said Mayor, Aldermen and Commonalty of the City of New-York, and the said Charles Devlin, on the 14th day of July, 1857, by the serving of summons and complaint on them, to which complaint the plaintiff refers, as if the same were herein repeated, and a part of the supplemental complaint.

action, the said Justice, pursuant to the order therein referred to, has issued his warrant to arrest, and his warrant of search, which warrant of search was directed to the Sheriff of the City and County of New York, or any constable of the said city, and was delivered to John R. Farrington, a constable of the said

Fourth: That the said Farrington proceeded to the execution of the said warrant of search, and took possession of the books, maps, papers and documents in the said warrant mentioned, and brought twenty-three of the said books before the said Justice, when he was presented from bringing more of them before the said

Fifth: That the said twenty-three books being so brought before the said Justice, he directed them to

be placed in the custody of Henry Barthol, an officer of this Court, till further orders, and they were so placed, and there remain.

Sixth: That the Mayor, Alderman and Commonalty, and the said Charles Devlin and their counselmen, attorneys and agents are endeavoring to prevent the enforcement of the said order and the execution of the

enforcement of the said writs, and have, by their interference, prevented the plaintiff from obtaining the possession or use of the said books, maps, papers and documents, and the plaintiff is apprehensive that, unless restrained by this Court, they will continue to prevent his obtaining the possession or use thereof.

Wherefore, the plaintiff demands judgment that the said order or warrants may be carried into effect, that all obstacles to the enforcement and execution thereof may be removed, that if necessary, a writ of *habeas corpus* be granted to the plaintiff, and that the costs of the proceedings be paid to the plaintiff.

thereof may be received, and, if necessary, a receiver of the said books, maps, papers and documents may be appointed, and such receiver directed to let the plaintiff have the use thereof in the execution of his said office; that the said Mayor, Aldermen and Commonalty of the City of New-York, and the said Charles Devlin, their attorneys, counselors and agents,

may, by an injunction, be restrained from interfering with the said books, maps, papers and documents, and from doing anything to prevent the delivery thereof to this plaintiff and his use of the same, and from taking any measures other than by a review in this Court upon *certiorari*, to prevent the enforcement and execution of the said order and warrant of search.

and that the said John R. Farrington and Henry Bertholf be restrained by injunction from delivering the said books, maps, papers and documents to any person or persons whatever, except pursuant to the order of said Justice, or the order of this Court in this action." FIELD & SEFTON, Plaintiff's Attorneys.

City and County of New York—Donald D. Conover, plaintiff, being sworn, saith that the foregoing complaint is true of his own knowledge, except as to the matters therein stated to be on information and belief, and as to those matters he believes it to be true.

D. D. CONOVER.

Sworn, Aug. 15, 1937, before me,
G. T. KOWAL, Commissioner of Deeds.

WILLIAM L. BRIDGEMAN,
Clerk.

On reading the complaint in this action supplemental to the original complaint of the same plaintiff against the Mayor, Aldermen and Commonality of the City of New York and Charles Bevin above-named, together with the affidavit of Daniel D. Conover, attorney verifying the same, and on motion of Field & Sluyter, attorneys for the plaintiff, it is ordered that the said plaintiff have leave to file and prosecute the said supplemental

And upon the said original and supplemental complaints and affidavits, it is further ordered that the Mayor, Aldermen and Commonalty of the City of New York and Charles Dowlin, show cause before this Court, at a Special Term thereof, to be held at the City Hall at the City of New York, on the 25th day of August, instant, at 11 o'clock in the forenoon, why they and their owners, attorneys and agents, should not be enjoined and restrained from dealing with the books, maps, papers and

documents is logging and appearing to the office of the Street Commissioner of the City of New York, and then doing anything to prevent the delivery thereof to the plaintiff in this action, and his use of the same, and from taking any measures other than by a review in this Court upon certiorari to prevent the enforcement and execution of the order mentioned in the complaint and the search warrant therein mentioned; and that

And it is further ordered that, until the time for showing cause as aforesaid, and the aforesaid decision and order thereon, the said Mayor, Aldermen and Commonality of the City of New York, do not deliver to any person or persons whatsoever, except pursuant to the order of the said Justice Peabody, or the order of this Court in this action, any and all maps, papers and documents in any person or persons' possession, custody or control, which may be in any way connected with or related to the aforesaid matter.

New-York, Charles Berlin, Henry Berthoff and John R. Farrington, be, and they are, each and all of them, hereby severally and respectively retained and enjoined as aforesaid; that is to say, the said Mayor, Aldermen and Commonality of the City of New-York, and the said Chas. Devlin, are hereby commanded and enjoined wholly to desist and refrain from interfering with the books, maps, papers and documents belonging or appertaining to the office of the Street Commissioner of the City of New-

York, and from taking anything to prevent the delivery thereof to the plaintiff in this action, and his use of the same, and from taking any measure other than to serve in this Court upon defendants, to prevent the enforcement and maintenance of the order mentioned in the complaint and the same named therein mentioned, and the said Joan E. Harrington and Henry Berthoff are hereby also commanded and enjoined wholly to desist and refrain from delivering the said books, maps, papers

and do not give to any person or persons whatsoever, except